

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

The Staff of the Missouri Public Service Commission,
Complainant,
vs.
Leon Travis Blevins a/k/a Travis Blevins and Patricia Blevins, d/b/a Misty Mountain PWS a/k/a Misty Water Works, Charity PWS, and Rolling Hills PWS
Respondents.

Case No. WC-2023-0353

MOTION TO SCHEDULE HEARING

COMES NOW, the Staff of the Missouri Public Service Commission (“Staff”), by and through counsel, and for its *Motion for Extension of Time and Continuance of Hearing*, states as follows:

1. On April 10, 2023, the Staff filed a *Complaint* alleging the unauthorized provision of water service against the Respondents Leon Travis Blevins a/k/a Travis Blevins and Patricia Blevins, d/b/a Misty Mountain PWS a/k/a Misty Water Works, Charity PWS, and Rolling Hills PWS (“Blevins”) in the above-captioned cause pursuant to § 386.390.1, RSMo, and 20 CSR 4240-2.070.
2. Respondent Blevins filed an *Answer* to Staff’s Complaint on October 18, 2023.
3. On January 10, 2024, Staff filed a proposed procedural schedule, which the Commission adopted on January 16, 2024.
4. According to the Commission’s January 16, 2024 *Order Establishing Procedural Schedule and Other Procedural Requirements*, the Evidential Hearing was scheduled for April 24-25, 2024.

5. On April 15, 2024, counsel for Staff was contacted by one of Mr. Blevin's family member's and notified that Mr. Blevins was in the hospital and requested an extension for the above-captioned case concerning Mr. Blevins.

6. On April 16, 2024, the Commission entered an *Order Granting Motion for Extension of Time and Order Granting Continuance of Hearing*. At that time, no new hearing date was set, and Staff was ordered to file a status report or alternative pleading no later than May 16, 2024.

7. Staff will be filing a monthly status report in the companion case to this matter, WO-2024-0036, on or about May 3, 2024, as required by the Commission in its February 13, 2024 *Order Directing Staff File a Monthly Status Report* in that case.

8. It is Staff's understanding that Mr. Blevins is in communication with DNR and Staff with regard to the various administrative actions being taken by DNR against Mr. Blevins as well as regarding the well sites that are in need of repair. However, little, if any, work has been done by Mr. Blevins to repair the well(s). New leaks and well failures continue to accumulate, creating health risks and degrading service for customers.

9. The Staff requests the evidentiary hearing be reset within the next 30 days or a procedural conference be held within 10 days in order to determine a mutually agreeable hearing date in the above-captioned case.

10. This Motion is made in the interest of justice and without the intent to unreasonably delay or hinder these proceedings in any manner.

WHEREFORE, for the foregoing reasons, Staff respectfully submits this *Motion to Schedule Hearing* and hereby prays the Commission schedule a prehearing conference within the next 10 days so that a new hearing date can be scheduled or re-set the evidentiary hearing date in this case within the next 30 days; and to grant such other and further relief as the Commission considers just and reasonable in the circumstances.

Respectfully submitted,

/s/ Carolyn H. Kerr
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Attorney for Staff of the
Missouri Public Service Commission

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 30th day of April, 2024, to parties and counsel of record.

/s/ Carolyn H. Kerr